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# VIRGINIA LAWS

FOR THE

## Suppression of Vice

Compiled by the Virginia  
Committee on Training  
Camp Activities -- --  
Richmond, Virginia, 1917

*Issued under the direction of the State Board of Charities and  
Corrections.*

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## Virginia Laws for the Suppression of Vice

The citizens of Virginia are facing a two-fold menace in connection with the concentration camps and the coming of soldiers to the cities of the State. First, the menace to the young men who are gathered into these camps and cities from women and girls of immoral character; second, the menace to the young girls of the communities in which the camps are located or the soldiers are mobilized. Every effort must be made to protect the soldiers from the contaminating influence of vicious women and bad girls; likewise, the girls must be protected against the dangers which will naturally exist under the circumstances.

The laws of Virginia intended to prevent vice and immorality can be divided into two general classes:

1. The laws for the prevention of vice generally.
2. The laws intended to protect young children from vicious and immoral influences, and to punish persons charged with offenses against children.

Sections 884, 885, 3787, 3790 and 3912 of Pollard's Code of Virginia, and Chapter 463, Acts of the Assembly, 1916, are of the first-class of statutes.

If the offending parties are both adults, they should be dealt with under one of these sections. If, however, the offending female is under eighteen years of age, she would have to be dealt with as a delinquent child, under Chapter 350 of the Acts of 1914. In this case the offending male should be dealt with either under Chapter 228 of the Acts of 1914 or Chapter 478 of the Acts of 1916. There are rare cases which would make it proper to proceed under sections 3677 and 3678 of Pollard's Code. These sections, however, prescribing the penalty for seduction and abduction of females, respectively, have proven so ineffective in the past that they are not published in this compilation of laws on the subject.

There remain two sections of the code under this general head which can be used most effectively in dealing with women of an immoral character against whom no specific charge can be proven, namely, Sections 884 and 885, Pollard's Code. These sections define VAGRANTS and prescribe how they shall be dealt with. If it can be proven that the woman is living in idleness without employment, has no property to support herself and follows no decent trade, occupation or business, she can be dealt with under these sections. For example, if vicious women begin to take up their abode at or near the concentration camps, the authorities could rid the communities of the menace promptly and effectively by dealing with each of these women as vagrants, requiring them to give bond for their good conduct for one year.

If the offending female is under the age of eighteen years, she should be dealt with as a delinquent child, under Chapter 350, Acts of 1914. While the girl is being thus dealt with, the man, who has immoral relations with a girl under eighteen must, under the laws of this Commonwealth be dealt with for his part in the affair, even though the girl consents to the immoral relations. The laws of Virginia expressly provide that a man who even permits such a girl to be guilty of vicious or immoral conduct shall be punished. In case the child is under the age of 15 years, the offense is rape, punishable by death or by confinement in the penitentiary not less than five, nor more than twenty years. (Chapter 478, Acts of 1916). If the child be fifteen years of age or over, and under the age of eighteen, then the person guilty

of misconduct with her should be punished for contributory delinquency under Chapter 228, Acts of the Assembly, 1914.

The laws against gambling are printed on page 14.

Officers of the law should make it a point to familiarize themselves with the terms of these laws and to see that they are rigidly enforced.

#### *Vagrants.*

Section 884, Virginia Code. *Who are vagrants.*—The following persons shall be deemed vagrants:

First—All persons who shall unlawfully return into any county or corporation whence they have been legally removed.

Second—All persons who, not having wherewith to maintain themselves and their families, live idly and without employment, and refuse to work for the usual and common wages given to other laborers in the like work in the place where they then are.

Third—Persons wandering or strolling about in idleness who are able to work and have no property to support them.

Fourth—Persons leading an idle, immoral or profligate life, who have no property to support them, and who are able to work, and do not.

Fifth—All able-bodied persons found begging for a living, or who quit their houses and leave their wives or children without the means of subsistence.

Sixth—All persons who shall come from any place without this Commonwealth to any place within it and shall be found loitering and residing therein, and shall follow no labor, trade, occupation or business, and have no visible means of subsistence, and can give no reasonable account of themselves or their business in such place.

Seventh—All persons having a fixed abode who have no visible property to support them, and who live by stealing or by trading or bartering stolen property.

Eighth—All persons who are able to work and who do not work, but hire out their minor children and live upon their wages.

Section 885, *ibid.* *Vagrants; how dealt with, and so forth.*—It shall be, and is hereby, made the duty of the sheriffs and constables of every county, the police, or town sergeants or other like officials in every city and town in this State, to give information, under oath, to any officer empowered by law to issue criminal warrants, of all vagrants within their knowledge or persons whom they have good reason to suspect of being vagrants, in their respective counties, cities and towns; and thereupon, or upon the complaint of any person upon oath, the said officer shall issue a warrant for the arrest of the person alleged to be a vagrant, and he shall be brought before any magistrate having jurisdiction of misdemeanors within said county, city or town, and upon conviction shall be punished as for a misdemeanor: provided, however, that the magistrate may, in his discretion, or the court before which the case may be tried on appeal may, in its discretion, permit such person so convicted to give bond, with sufficient security, in an amount not exceeding five hundred dollars nor less than one hundred dollars, conditioned upon his future industry and good conduct for one year; and upon giving such bond such person shall be set at liberty without undergoing the punishment imposed by his conviction: and provided, further, that it shall be a sufficient defence to the charge of vagrancy under this and the preceding section that the defendant has made reasonable bona fide efforts to obtain employment at reasonable prices for his labor and has failed to obtain the same.

Section 886a, Virginia Code. *Punishment of vagrants.*—Whenever any person is apprehended or arrested in any city or town as a vagrant under section eight hundred and eighty-four of the Code of Virginia it shall be unlawful for said authorities to discharge said person upon condition that such person leave said city or town, but shall proceed as and only as provided by section eight hundred and eighty-five of the Code of Virginia.

*Houses of Prostitution Declared Nuisances—How Abated.*

**Chapter 463 of Acts 1916.**

An act to enjoin and abate houses of lewdness, assignation and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose.

1. Be it enacted by the General Assembly of Virginia, that whoever shall knowingly erect, establish, continue, maintain, use, own, occupy, or lease any building, erection or place used for the purpose of lewdness, assignation or prostitution in the State is guilty of a nuisance, and the building, erection, or place, the ground itself, in or upon which such lewdness, assignation, or prostitution is conducted, permitted, or carried on, continued or exists, and the furniture, fixtures, musical instruments and contents are also declared a nuisance, and shall be enjoined and abated as hereinafter provided.

2. That whenever a nuisance is kept, maintained, or exists as defined in this act the Commonwealth's attorney or the attorney general of the State, or any responsible citizen of the State, may maintain a suit in equity in the name of the State, upon the relation of such attorney for the Commonwealth, attorney general, or citizen, to perpetually enjoin said nuisance, the person or persons conducting or maintaining the same, and the owner or agent of the building or ground upon which said nuisance exists.

In such suit the court, or a judge in vacation, shall, upon the presentation of a bill therefor alleging that the nuisance complained of exists, and sworn to by two reputable citizens, allow a temporary writ of injunction, without bond, if it shall be made to appear to the satisfaction of the court or judge by evidence in the form of affidavits, depositions, oral testimony, or otherwise, as the complainant may elect, unless the court or judge by previous order shall have directed the form and manner in which the evidence shall be presented. Three days' notice, in writing, shall be given the defendant of the hearing of the application, and if then continued at his instance the writ as prayed shall be granted as a matter of course. When an injunction has been granted it shall be binding on the defendant throughout the State until dissolved by the court, and any violation of the provisions of injunction shall be a contempt as hereinafter provided.

3. That the suit when ready for hearing shall be tried at the first term of court, unless good cause for continuance shall be shown, and in such suit oral evidence given in court of the general reputation of the place shall be admissible for the purpose of proving or tending to prove the existence of said nuisance. If the complaint is filed by a citizen it shall not be dismissed before final hearing, except upon a sworn statement made by the complainant and his attorney, setting forth the reasons why the action should be dismissed, and the dismissal approved by the attorney for the Commonwealth, or the attorney general of the State, in writing or in open court. In any case if the court is of the opinion that the action ought not to be dismissed, it may direct the attorney of the Commonwealth to prosecute said action to judgment; and if the action is continued more than one term of court, any citizen, or the Commonwealth attorney may be substituted for the complaining party and prosecute said action to judgment. If the action is brought by a citizen, and the court finds there was no reasonable ground or cause for said action, the costs may be taxed to such citizen.

4. That in the case of the violation of any injunction granted under the provisions of this act, the court, or, in vacation, a judge thereof, may summarily try and punish the offender. The proceeding shall be commenced by filing with the clerk of the court an information, under oath, setting out the alleged facts constituting such violation, upon which the court or judge



shall cause a warrant to issue, under which the defendant shall be arrested. The trial may be had upon affidavits, or either party may at any stage of the proceeding demand the production and oral examination of the witnesses. A party found guilty of contempt under the provisions of this section, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in jail not less than three months nor more than six months, or in the discretion of the court by both fine and imprisonment.

5. If the existence of the nuisance be established in a suit in equity as provided in this act, or in a criminal proceeding, an order of abatement shall be entered as a part of the judgment in the case, which order shall direct the removal from the building or place of all fixtures, furniture, musical instruments, or movable property used in conducting the nuisance, and shall direct the sale thereof in the manner provided for the sale of chattels under execution, and shall decree the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of one year, unless sooner released. If any person shall break and enter or use a building, erection, or place so directed to be closed he shall be punished as for contempt, as provided in the preceding section.

6. The proceeds of the sale of the personal property, as provided in the preceding section, shall be applied to the payment of the costs of the suit and the abatement, including a reasonable attorney fee to be decreed to the attorney, as the court shall think just, and the balance, if any, shall be paid to the defendant.

7. If the owner appears and pays all costs of the proceedings and files a bond, with sureties to be approved by the clerk, in the full value of the property, to be ascertained by the court, or by the judge, in vacation, conditioned that he will immediately abate said nuisance and prevent the same from being established or kept within a period of one year thereafter, the court, or, in vacation, the judge, may, if satisfied of his good faith, order the premises closed under the order of abatement to be delivered to said owner and said order of abatement cancelled so far as the same may relate to said property; and if the proceeding be a suit in equity and said bond be given, and costs therein paid before judgment and order of abatement, the action shall be thereby abated as to said building only. But the release of the property under the provisions of this section shall not release it from judgment, lien, penalty, or liability to which it may be subject by law.

8. On motion of the attorney for the Commonwealth or other attorney representing the prosecution for violation of this statute, the court may grant immunity to any witness called to testify in behalf of the prosecution.

Section 3786, Virginia Code. *Adultery and fornication, how punished.*—If any person commit adultery or fornication, he shall be fined not less than twenty dollars. And if he commit adultery or fornication with any person, whom he is forbidden by Section 2224 or 2225 to marry, he shall be confined in jail not exceeding six months, or fined not exceeding five hundred dollars, in the discretion of the jury.

Section 3787. *Lewd and lascivious cohabitation, how punished; penalty for second offence.*—If any persons, not married to each other, lewdly and lasciviously associate and cohabit together, or, whether married or not, be guilty of open and gross lewdness and lasciviousness, they shall be fined not less than fifty nor more than five hundred dollars; and upon a repetition of the offence, and conviction thereof, they may also be confined in jail not less than six nor more than twelve months.

*When Security May Be Required for Good Behaviour.*

Section 3912, *ibid.* *Who conservators of the peace may bind to good behaviour.*—Every judge throughout the State and every justice, commissioner in chancery, notary, and county surveyor while in the performance of the duties of his office within his county or corporation shall be a conservator of the peace, and may require from persons not of good fame security for their good behaviour for a term not exceeding one year.

Section 3790. *Keeping house of ill fame, how punished; general character of house may be proven.*—If any person keep a house of ill fame, resorted to for the purpose of prostitution or lewdness, he shall be confined in jail not exceeding one year and fined not exceeding two hundred dollars; and, in a prosecution for this offence, the general character of such a house may be proven.

Section 3791. *Publishing, selling, distributing, etc., obscene books, etc., how punished.*—If any person import, print, publish, sell, or distribute any book or other thing containing obscene language, or any print, picture, figure, or description, manifestly tending to corrupt the morals of youth; or introduce into any family or place of education, or buy, or have in his possession, any such thing for the purpose of sale, exhibition, or circulation, or with intent to introduce it into any family or place of education, he shall be confined in jail not exceeding one year and fined not exceeding two hundred dollars.

*Pandering—Defined, Penalties Prescribed.*

Chapter 163 of Acts of 1910.—An act in relation to pandering, to define and prohibit the same, to provide for the punishment thereof and for the competency of certain evidence at the trial thereof. Approved March 14, 1910.

1. Be it enacted by the General Assembly of Virginia, That any person who takes, harbors, inveigles, entices, persuades or encourages, either by threats or promises, or by any device or scheme takes, or causes to be taken, any female into a house of ill-fame or of assignation, or elsewhere, against her will, for the purpose of prostitution or illegal sexual intercourse; or,

Subsection 1. Takes or detains a female unlawfully against her will with the intent to compel her, by force, threats, persuasion, menace or duress, to marry him or to marry any other person, or to be defiled; or,

Subsection 2. Being parent, guardian, or any other person having legal charge of the person of a female, consents to her being taken or detained by any person for the purpose of prostitution or sexual intercourse, is guilty of pandering, and shall be punished by confinement, for a term of not less than one year nor more than ten years in the penitentiary, and by a fine of not more than one thousand dollars.

2. Any person who shall place any female in the charge or custody of any other person or persons for immoral purposes, or in a house of prostitution with the intent that she shall live a life of prostitution; or any person who shall compel any female to reside with him, or with any other person for immoral purposes, or for the purposes of prostitution, or compel her to live a life of prostitution, is guilty of pandering, and shall be punished by a fine of not less than one thousand dollars and by confinement in the penitentiary for not less than one or more than ten years.

3. Any person who shall receive any money or other valuable thing for or on account of procuring for or placing in a house of prostitution or elsewhere any female for the purpose of causing her to cohabit with any male person or persons, shall be guilty of a felony, and upon conviction thereof shall be confined in the penitentiary for not less than one year nor more than ten years.

4. Any person who, by force, fraud, intimidation or threats, places or leaves, or procures any other person or persons to place or leave his wife in a house of prostitution or to lead a life of prostitution, shall be guilty of pandering, and upon conviction thereof shall be confined in the penitentiary not less than three years nor more than ten years.

5. Any person or persons who shall knowingly receive any money or valuable thing from the earnings of any female engaged in prostitution, except for a consideration deemed good or valuable in law, shall be guilty of pandering, and on conviction be confined in the penitentiary for a term not less than one year nor more than ten years, and fined not more than five hundred dollars.

6. Any person or persons who shall detain any female in a disorderly house or house of prostitution because of any debt or debts she has contracted, or is said to have contracted while living in said house of prostitution or disorderly house, shall be guilty of felony, and on conviction thereof shall be confined in the penitentiary for a term not less than one year nor more than ten years.

7. Any person or persons transporting, or attempting to transport, by any railroad, steamboat, railway, or by any other means of conveyance, through or across this State, any female for the purposes within the intent of this act, may be apprehended, indicted, tried and convicted in any county or city in which the said offender may be apprehended, and on arrest be taken to any court of competent jurisdiction in any such county or city; and the said presentment, indictment and trial shall be had in the same county or city in which the arrest occurs.

8. Any such female referred to in the foregoing shall be a competent witness in any prosecution under this act to testify to any and all matters, including conversations with the accused or by him with or by third persons in her presence, notwithstanding her having married the accused either before or after the violation of any of the provisions of this act, but she shall not be compelled to testify after such marriage.

#### *Delinquent and Dependent Children—How Dealt With.*

##### *Chapter 350 of Acts of 1914.*

An act to provide for the commitment of delinquent, dependent, or neglected children to the State Board of Charities and Corrections, and to certain societies, associations, or reformatories, and authorizing such organizations to place said children in suitable homes and institutions; defining the terms "delinquent," "dependent," and "neglected" child; when children under eighteen years of age may or may not be sent to jail, workhouse, police station or penitentiary, requiring parents in certain contingencies to pay for support of delinquent, dependent or neglected children, providing for physical and mental examination of children, and for placing them in hospitals when necessary; providing for the appointment of probation officers and prescribing their duties and powers; allowing delinquent children to be released on probation; prescribing the procedure in the hearing of children's cases; penalties for removing or interfering with any child committed hereunder, or for violating any provision hereof; allowing jury trials and appeals; and providing for the supervision and inspection of societies and associations by the State Board of Charities and Corrections. Approved March 27, 1914.

1. Be it enacted by the General Assembly of Virginia, That every court of record of general criminal jurisdiction or the judge thereof in vacation, and the police and justice courts are hereby authorized and empowered, in their discretion, to commit to the care and custody of the State Board of Charities and Corrections, or of any society, association or reformatory ap-

proved by the State Board of Charities and Corrections, and chartered under the laws of this State, for the care, custody, maintenance, protection, discipline, or betterment of children, any child who shall be proven to be delinquent dependent or neglected; provided, however, that all children twelve years old and under, declared delinquent by any court or justice in this State and not placed on probation as hereinafter provided, shall be committed to the State Board of Charities and Corrections, and the said board is hereby authorized, in its discretion, to place such children in homes, institutions or reformatories without further process of law; provided, further, that all commitments under this act shall be for an indeterminate period, but no child committed hereunder shall be held or detained after such child shall have attained the age of twenty-one years and the said State Board of Charities and Corrections and said societies or associations may place under contract children committed under this act until they reach the age of twenty-one years in suitable family homes, institutions or training schools for the care of children, and whenever such a child shall be so placed by any such society or association a report of such action shall be made to the State Board of Charities and Corrections in such form as may be required by it.

The words "delinquent child" shall include a child under eighteen years of age who violates a law of this State or a city or town ordinance, or who is incorrigible; or who is a persistent truant from school; or who associates with criminals or reputed criminals, or vicious or immoral persons; or who is growing up in idleness or crime; or who wanders about the streets in night time; or who uses intoxicating liquor as a beverage, or uses opium, cocaine, morphine, or any similar drug without the direction of a competent physician; or who frequents, visits, or is found in a disorderly house, house of ill-fame, saloon, barroom, or place where intoxicating liquors are sold, exchanged or given away; or who patronizes, visits, or is found in a gambling house or place where a gambling device is operated, or in a billiard hall or poolroom; or who uses vile, obscene, vulgar, profane or indecent language, or is guilty of dissolute or immoral conduct. The words "dependent child" or "neglected child" shall mean a child under sixteen years of age who is dependent on the public for support; or who is homeless, destitute, or abandoned; or who has no proper parental care or guardianship; or who begs or receives alms; or who is found living in a house of ill-fame or with a vicious or disreputable person; or whose home, by reason of neglect, cruelty or depravity on the part of its parents, guardian, or other person in whose care it may be, is an unfit place for such child, or whose environment is such as to warrant the State, in the interest of the child, in assuming its guardianship. All juvenile offenders, managed or controlled under the provisions of this act, shall be deemed not to be criminals, and shall not be treated as such.

The traveling expenses incurred by an agent of the State Board of Charities and Corrections or by an officer of any court in conveying children committed to said board to homes, institutions or reformatories shall be paid by the auditor of public accounts in the same manner and out of the same fund as the traveling expenses of officers conveying delinquent children to Laurel Industrial school or the negro reformatory are now paid.

2. No court or justice, unless the offence is aggravated, or the ends of justice demand otherwise, shall sentence or commit a child under eighteen years of age charged with or proven to have been guilty of any crime to a jail, work-house or police station, or send such a child on to the grand jury, nor sentence such child to the penitentiary; but such child may be committed after hearing is had, as is hereinafter provided, to the State Board of Charities and Corrections or any society or association formed for the purpose specified in section one of this act; or the court or the judge above mentioned, may commit such child to a reformatory under the laws now or hereinafter provided for such commitment. Nothing herein shall prevent the imposition of such punishment as is prescribed by the laws of the State of

Virginia for the offence with which such child is charged, when no society or association or reformatory will accept such child.

3. In any case in which the court, judge or justice finds a child delinquent, dependent or neglected, it may in the same or in subsequent proceedings, by summons, warrant or other proper process, cause the parent or parents of such child, or either of them to be brought before it, and may thereupon proceed to inquire into the ability of such parent or parents to support the child or contribute thereto, and if the court, judge or justice finds such parent or parents able to support the child or contribute thereto, it may then deal with such person in like manner as is provided for in the statute relating to neglect of wife or children.

4. Every child coming within the provisions of this act may be subjected to a physical and mental examination by a competent physician or physicians or other mental diagnostician, to be appointed by the court, judge or justice having jurisdiction of the case, and the physician or mental diagnostician so appointed shall certify to the court the condition in which he finds the child. The court, judge or justice may, when the health or mental condition of the child requires it, cause the child to be placed in a public hospital, school, or other institution for treatment or special care, or in a private hospital or institution which will receive it for like purposes.

5. That for the purpose of aiding the court in a proper disposition of cases and matters arising under this act, the judge or justice may, upon the recommendation of any society, association or reformatory referred to in section one of this act, or upon the recommendation of the State Board of Charities and Corrections, appoint one or more suitable persons probation officers for the court, whose duty it shall be to make such investigation of cases involving children under eighteen years of age as the court may direct, to be present in court in order to represent the interest of the child when the case is heard, to furnish the court such information and assistance as it may require, and to take charge of any such child before and after the trial as may be directed by the court and to perform such other duties as the court may confer upon him. No probation officer shall receive any compensation for his services from the treasury of the State, except when traveling by order of the court, judge or justice having jurisdiction of the case or child involved, when he shall, upon certificate of such judge or justice, be paid the actual expenses incurred by him in carrying out said order. Every probation officer appointed as aforesaid is hereby invested with all the powers and authority of a police officer or of a constable.

6. The judge of the corporation court or of the juvenile and domestic relations court, of any city, may, upon the recommendation of the State Board of Charities and Corrections, appoint and deputize any member or members of the police of such city, not exceeding three in number, to act and serve as probation officer or officers as long as the judge of such court may deem desirable. Such police designated shall, while acting as such probation officer, or officers, be relieved of ordinary detail duties of the police; but shall remain subject to suspension or removal by the proper officers of such city as are the other police therein. The judge of a circuit court having jurisdiction may, upon the recommendation of the State Board of Charities and Corrections, appoint and deputize a member of the police force in incorporated towns within his jurisdiction, and constables or other suitable persons of the magisterial districts within such jurisdiction to serve as such probation officers; provided, however, that such officer shall not be relieved of the ordinary detail duties of his office while acting as such probation officer. Where no such appointment is made, the chief of police of the city or town and the sheriff of the county shall be, and is hereby authorized and required to act as such probation officer. Every probation officer appointed as aforesaid is

hereby invested with all the powers and authority of a police officer or of a constable.

All persons so selected shall faithfully perform the work and duties which may be prescribed for them by the court or judge above mentioned, or by said State Board of Charities and Corrections or its secretary under authority from said board. Such officer or officers so appointed shall receive no extra compensation over his or their regular pay, except that the local authorities of a city, town or county may, if they see fit, pay to such officer so appointed such compensation as they may deem to be reasonable. Each probation officer shall promptly make all reports which may be required of him by the State Board of Charities and Corrections, or by the court or judge above mentioned.

7. That every court of record of general criminal jurisdiction or the judge thereof in vacation, and the police and justice courts are hereby authorized and empowered in their discretion to release any juvenile charged with delinquency under the care of a probation officer for a probationary period not exceeding the period of such child's minority; such probationed child shall be under the jurisdiction of the court for such period, and shall be subject to such rules and regulations touching his welfare as may be prescribed by the court. In case such probationed child shall fail to keep or shall disregard the terms of his probation the court or the judge thereof in vacation shall have the power to cause such child to be brought before it for further proceedings; and may thereupon continue or extend the child's probation, or may sentence or commit such child on the original charge in like manner as if no probation period had intervened, or may punish such child as for contempt of court. At the end of such probationary period the probation officer shall cause such child to return to court, and shall make a report upon the child's conduct during said period, and the court may thereupon dismiss said child, or, if his probation record does not justify his dismissal, may deal with said child as is provided above in cases of violation of probation.

8. Whenever a child under eighteen years of age shall be charged before any police justice or juvenile and domestic relations court of any city, or before a justice of the peace, with any offense embraced in section one of this act, a hearing shall be had of the evidence bearing upon the guilt and innocence of the child. If the court shall deem the evidence insufficient for a conviction or insufficient to justify the child being sent on to a grand jury or being required to give security for good behaviour, it shall discharge the child. If sufficient to justify a conviction or to send the child on to a grand jury or to require the giving of security for good behavior, then the court is empowered to act under the provisions of this statute as to the disposition of said child; provided, that the child shall have the same right of appeal from any order entered by such court or police justice or justice of the peace as is provided by law or an appeal from any judgment of conviction entered by any such court. In case of any such appeal the court to which such appeal is taken, or in case of any such child being sent on to a grand jury, the court to which the child is so sent shall, after the trial is had in conformity with the requirements of law, have, if the child is held guilty of crime, the power to act under the provisions of this statute as to the disposition of the child.

Whenever any probation officer or other reputable person has knowledge or information that a child within his city, town or county is dependent or neglected, he may file with the proper court or justice of the peace a petition in writing, setting forth the facts, verified by oath. It shall be sufficient that the facts stated in such petition are upon information and belief. Upon the filing of the petition, a summons shall issue requiring the person having the custody or control of the child, or with whom the child may be, to appear immediately with the child at a place stated in the summons. The parent or guardian, or if their be neither, then a relative of such child,

if the residence of such relative be known, shall be notified of the proceedings, and, in any case the judge may appoint some suitable person to act in behalf of the child. If the person summoned as herein provided fails, without reasonable cause, to appear and abide the order of court, or bring the child, he may be proceeded against as for a contempt of court. In case the summons cannot be served, or the party served fails to obey the same, or in any case, when it is made to appear to the court that such summons will be ineffectual, a warrant may issue on the order of the court, judge or justice, either against the parent or guardian, or the person having custody of the child, or with whom the child may be, or against the child itself. On the return of the summons or other process, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case in a summary manner. Pending the final disposition of a case, the child may be retained in the possession of the person having charge of the same, or may be kept, in the discretion of the court, in some suitable place provided by the city, town or county authorities or by some private individual or association, or placed in charge of a probation officer.

9. It shall be unlawful for any person to interfere with or to obstruct any probation officer, policeman, constable or other officer in the discharge of his duty under this act, or for any person to remove or conceal, or cause any child to be removed or concealed in order that it may not be brought before court, or for any person to interfere with or remove or attempt to remove any child who is in the custody of the court or of an officer or who has been committed to any organization by any court or justice of the peace under the provisions of this act; and any person committing any one of the offenses herein enumerated shall be deemed guilty of contempt and may be punished by a fine not exceeding fifty dollars or by imprisonment not exceeding three months, or both.

10. Any juvenile or other person whose rights or interests are affected by any order of a court or justice entered under or by virtue of the provisions of this act shall have the same right of appeal as is now provided by law for appeals in other similar cases.

11. All societies and associations receiving children under this act shall be subject to the visitation, inspection and supervision of the State Board of Charities and Corrections, and it shall be the duty of said board to pass annually upon the fitness of every society or association that may receive or desire to receive children under the provisions of this act, and every society or association shall annually as said board may direct, make report thereto showing its condition, management and competency adequately to care for such children as are, or may be, committed to it, and such other facts as said board may require, and when said board is satisfied as to the care given such children, it shall issue to the society or association a certificate to that effect, which shall continue in force until revoked by said board, and no such child shall be committed to any society or association which shall not have received such a certificate, and shall hold same unrevoked at the time of such committal. Any court of record named in section one of this act, or the judge thereof in vacation, may at any time require from any society or association receiving or desiring to receive children under the provisions of this act such reports, information and statement of its condition and management as the court, or the judge thereof in vacation may deem proper or necessary.

12. Upon petition of any reputable citizen under oath that any of the provisions of this act have been or are being, violated by anyone, or by any institution, the court, or the judge thereof in vacation, having jurisdiction over the locality where such persons reside or such institution is located may cause such person or institution by proper process to appear before the

court, or the judge thereof in vacation, at such time, and at such place within such locality as the process may name, and may enter judgment or order as the ends of justice may require.

13. The court, or any judge authorized to act hereunder in vacation, and all officers performing any act or executing any process under this act, are vested with all incidental powers necessary to the effectual execution of the object and purposes of this act.

14. This act shall be construed liberally as to its objects and powers, to the end that its purpose may be carried out, to-wit: that the care, custody and discipline of the child may approximate as nearly as may be that which should be by its parents, and protect the child, where possible, from the stigma of jail and the contaminating influences of associating with criminals.

15. Words in this act importing the masculine gender shall be construed to include females whenever such construction is necessary or proper.

16. All acts and parts of acts in conflict with this act are hereby repealed.

*Contributory Delinquency.*

Chapter 228 of Acts of 1914.

An act making it a misdemeanor for any person over the age of 18 years to cause or encourage any child under the age of 18 years to commit any misdemeanor; to send a child under 18 to certain places; or in any way to contribute to or cause a child under 18 to be guilty of vicious or immoral conduct, and providing punishment therefor. Approved March 24, 1914.

1. Be it enacted by the General Assembly of Virginia, That any person over 18 years of age who shall cause or encourage any child under the age of 18 years to commit any misdemeanor, or who shall send or cause to be sent any such child to, or permit any such child to enter or remain in, any house of prostitution, or any saloon or winerom, or to any policy shop or gambling place, or to any pool room or bucket shop, knowing them to be such, or who knowingly permits or induces any such child to enter or remain in any such place or in any place for an unlawful purpose or who knowingly permits, contributes to, encourages or causes any such child to be guilty of any such vicious or immoral conduct, as is herein specified, or who shall subject any such child to vicious or immoral influences, in the manner herein specified, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to punishment by a fine of not more than five hundred dollars, or by imprisonment in jail for a period not exceeding one year, or both.

2. This bill shall not be construed as repealing or modifying or in any way affecting sections thirty-six hundred and seventy-seven, thirty-six hundred and seventy-eight, thirty-six hundred and eighty, or thirty-seven hundred and ninety of the Code of Virginia.

*Rape—Definition—Punishment.*

Chapter 478 of Acts of 1916.

An act to amend and re-enact section 3680 of the Code of Virginia as heretofore amended.

1. Be it enacted by the general assembly of Virginia, That section thirty-six hundred and eighty of the Code of Virginia as heretofore amended be amended and re-enacted so as to read as follows:

Section 3680. Rape; carnal knowledge of a child under fifteen years of



